

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Laurie H. Glimcher and John Douhan III

Serial No.: 09/888,370

Filed: June 22, 2001

For: HUMAN C-MAF COMPOSITIONS AND

METHODS OF USE THEREFOR

Attorney Docket No.: HUI-027CPDV2

Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450 Group Art Unit: 1632

Examiner: Woitach, Joseph T.

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CERTIFICATION UNDER (37 CFR 1.10)	
"Express Mail" Mailing Label Number EV 309 881 464 US	
Date of Deposit November 5, 2003	
I hereby certify that this transmittal letter and the papers referred to as being enclosed therein are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the late indicated above and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22.113 [145].  November 5, 2003  Date of Signature  By:  Debry J. Milastroc, Esq.  Reg. No. 46,931  Attorney for Applicant	

## RESPONSE TO RESTRICTION REQUIREMENT

Dear Sir:

This is an Amendment and Response to the Restriction Requirement dated June 5, 2003 (Paper No. 9). A request for the appropriate extension of time is being submitted herewith.

Response to the Restriction Requirement begins on page 2 of this paper

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Applicants note that claims 27-38 are pending in the application.

The Examiner has required restriction to one of the following groups:

Group I: Claim 27, drawn to a method of detecting the presence of human c-Maf in a

biological sample.

Group II: Claim 28, drawn to a method for modulating human c-Maf activity in a cell;

Group III: Claims 29, 30, and 32, drawn to methods to identify a compound that

modulates the activity of a human c-Maf protein comprising evaluating the

binding of a human c-Maf and a DNA molecule; and

Group IV: Claims 29, 31 and 32, drawn to methods to identify a compound that modulates

the activity of a human c-Maf protein comprising evaluating the expression in an

indicator cell.

Applicants hereby elect *Group II without traverse*, however Applicants reserve the right to traverse the restriction requirement with respect to the remaining groups.

In addition, the Examiner has required a species election of Group II from the following types of modulation:

- (1) inhibiting c-Maf activity;
- (2) stimulating c-Maf activity.

Applicants hereby elect species (1) inhibiting c-Maf activity.

The Examiner requires further species election from the following with respect to the analysis of different forms of modulation:

(1) the c-Maf polypeptide;

(2) the c-Maf gene;

(3) the c-Maf mRNA.

Applicants hereby elect species (2) the c-Maf gene.

Finally, the Examiner requires species election of different types of agents from the following:

(1) antisense nucleic acids;

(2) antibodies;

(3) dominant negative inhibitors;

(4) c-Maf nucleic acids;

(5) chemicals.

Applicants hereby elect *species (4) c-Maf nucleic acids*. Applicants understand that the species elections are for search purposes only. It is Applicants' further understanding that the search will be extended to the remaining species upon a finding of allowability.

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## **CONCLUSION**

If the Examiner believes that a telephone conversation with Applicants' Attorney would be helpful in expediting prosecution of this application, the Examiner is invited to call the undersigned at (617) 227-7400.

Respectfully submitted,

LĄHIVĖ &/COCKFIÆLD, LLP

Debrat. Milasincic, Esq. Registration No. 46, 931 for

Megan E. Williams, Esq. Registration No. 43, 270 Attorney for Applicants

28 State Street Boston, MA 02109

Telephone: (617) 227-7400 Facsimile: (617) 742-4214

Date: November 5, 2003